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*Attorneys for Defendants  
Romeo Aranas, James Cox,  
Francisco Sanchez, and Brian Williams*

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COUNSEL/PARTIES OF RECORD	
<b>MAY 13 2019</b>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LEWIS WILLIAM STEWART,  
  
Plaintiff,  
  
vs.  
  
ROMEO ARANAS, et al.,  
  
Defendants.

ORDER  
Case No. 3:17-cv-00132-MMD-CBC

**MOTION TO EXTEND THE DEADLINE TO  
FILE MOTIONS FOR SUMMARY  
JUDGMENT  
(First Request)**

Defendants, Romeo Aranas, James Cox, Francisco Sanchez, and Brian Williams, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Robert W. DeLong, Deputy Attorney General, hereby move to extend the deadline to file dispositive motions in this matter by 30 days because the case was recently reassigned to undersigned counsel. (See ECF No. 39.)

This is an inmate civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff Lewis Stewart (Plaintiff) is an inmate in the custody of the Nevada Department of Corrections (NDOC). Federal Rule of Civil Procedure 6(b)(1) governs enlargements of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

The proper procedure, when additional time for any purpose is needed, is to present a request for extension of time before the time fixed has expired. *Canup v. Miss. Val. Barge Line Co.*, 31 F.R.D.

1 282 (W.D. Pa. 1962). Extensions of time may always be asked for, and usually are granted on a  
2 showing of good cause if timely made under subdivision (b)(1) of the Rule. *Creedon v. Taubman*, 8  
3 F.R.D. 268 (N.D. Ohio 1947). The present deadline to file motions for summary judgment is today,  
4 May 8, 2019. (ECF No. 32 at 3.)

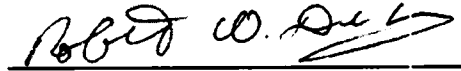
5 Defendants seek an enlargement of time to file dispositive motions in this matter because  
6 attorney Erin L. Albright is no longer with the Office of the Nevada Attorney General, and the case has  
7 recently been reassigned to undersigned counsel. (ECF No. 39.) Defendants respectfully request that the  
8 deadline to file motions for summary judgment in this matter be extended for 30 days to allow for the  
9 collection of declarations and evidence to file a motion for summary judgment. If granted, the new  
10 deadline to file motions for summary judgment would be Friday, June 7, 2019.

11 Good cause exists to extend the time to file this motion. This request is made in good faith and  
12 not for the purpose of delay. Defendants respectfully submit that none of the parties will be prejudiced  
13 by the extension of time sought.

14 DATED this 8th day of May, 2019.

15 AARON D. FORD  
Attorney General

16 By:

17   
18 ROBERT W. DELONG  
19 Deputy Attorney General  
State of Nevada  
Bureau of Litigation  
Public Safety Division

20 *Attorneys for Defendants*

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22  
23 IT IS SO ORDERED  
24   
U.S. MAGISTRATE JUDGE

25 DATED: 5/13/2019  
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